

Authority: Item 3, Planning Committee
Report: 23-007 (PED23074)
CM: May 10, 2023
Ward: 11

Bill No. 080

**CITY OF HAMILTON
BY-LAW NO. 23-080**

**To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located at 3140 and 3150 Binbrook Road**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the Township of Glanbrook” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 23-007 of the Planning Committee at its meeting held on the 2nd day of May 2023, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the Residential Multiple “RM3-321” Zone, Modified, within Section 44: Exceptions to the Provisions of the By-law, be further amended as follows:
 - a) By deleting the sentence “The following regulations shall apply to a street townhouse dwelling” and replacing it with:

“Notwithstanding Section 19.2 (b), (c), (e), (f), (g), and (n)(ii), the following regulations shall apply for Street Townhouse Dwellings:”
 - b) By deleting subsection (b) and replacing it with:

| | |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| “(b) Minimum Lot Area: | 160 square meter per dwelling unit, except: |
| | <ol style="list-style-type: none">(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 205 square metres; and, |

- (ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 210 square metres.”

- c) By adding subsection (c) as follows:
 - “(c) Maximum Lot Coverage: 40 percent”

- d) By deleting subsection (e) and replacing it with:
 - “(e) Minimum Front Yard: 3.8 metres”

- e) By deleting subsection (f) and replacing it with:
 - “(f) Minimum Side Yard and Rear Yard:
 - (i) Minimum Side Yard for an end dwelling unit not abutting a flanking street: 2.5 metres
 - (ii) Minimum Side Yard for an end dwelling unit on a corner lot abutting a flanking street: 2.0 metres, except 6.7 metres abutting Binbrook Road.
 - (iii) Minimum Rear Yard: 7.5 metres”

- f) By adding subsection (g) as follows:
 - “(g) Minimum Separation Distance:
 - (i) Between two exterior walls which contain no windows to habitable rooms, a minimum of 3.0 metres; and,
 - (ii) Between two exterior walls one of which contains windows to a habitable room, a minimum of 9.0 metres; and,
 - (iii) Between two exterior walls both of which contain windows to a habitable room, a minimum of 5.9 metres.”

- g) By adding subsection (n) as follows:
 - “(n) Minimum Parking Requirements:
 - (ii) No parking space or area shall be

located closer to streetline than 0.0 metres and not be closer than 1.75 metres to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.”

h) By amending subsection (p) by deleting (a)(xii) and replacing it with:

“(xii) Where a parking area which is required to provide for more than four (4) vehicles abuts any Residential or Institutional Zone or where the adjoining land is used for residential or institutional purposes, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 1.5 metres shall be provided and shall also include fencing to provide a solid and effective screen.”

i) By adding subsection (q) as follows:

“Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.26 – ENCROACHMENT INTO YARDS – Clause (b) as it relates to unenclosed porches, the following provision shall apply:

(b) Unenclosed porches may project into any required yard a distance of not more than 1.25 metres.”

2. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential 4 “R4-320-H” Zone provisions and the Residential Multiple “RM3-321” Zone, subject to the special requirements as referred to in Section 1 of this By-law.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 10th day of May, 2023.

A. Horwath
Mayor

A. Holland
City Clerk